

II. Remarks

Claims 1-11 were pending in this application. Claim 11 is allowed and claims 1-10 were rejected. The present amendment adds new claims 12-20 and amends claims 1, 2, 5, 7, 8 and 11 to correct minor typographical errors and to more particularly point out and clarify certain aspects of Applicant's invention. No new matter has been added by the present amendment. After this amendment, claims 1-20 will be pending.

Reconsideration of the application in view of the following remarks is respectfully requested.

Rejections under 35 U.S.C. § 112

Claims 1-10 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 1 has been amended to recite that the side edges of the central polygonal region each carry a protruding flap to define a plurality of protruding flaps including an upper flap and a lower flap and at least two side flaps. At least one infill element is defined between at least one of the side flaps and at least one of the upper and lower flaps. The infill element lies between two respective inwardly folded adjacent flaps defined by one of the side flaps and one of the upper and lower flaps. The protruding flaps are secured to form the air-bag. This amendment was in response to an objection that claim 1 is unclear. Specifically, the Examiner posits that claim 1 is unclear as to how the "central polygonal region carrying a protruding flap" can include "upper

and lower flaps and at least two side flaps" and that the last three lines of claim 1 are also unclear and should be rewritten. Accordingly, Applicant believes that the amendment to claim 1 has cured the 35 U.S.C. § 112, second paragraph, rejection of claim 1 and its dependent claims 2-10.

Rejections under 35 U.S.C. § 102

Claims 1-4, 8 and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent No. JP05-077342, issued to Miyake ("Miyake"). Applicant respectfully submits that the rejection of claims 1-4, 8 and 9 are traversed.

Applicant has amended claim 1 to further recite that the upper and lower flaps have a combined area which is greater than an area of the central polygonal region. Support for this amendment may be found in Applicant's Application at paragraph [0037].

Miyake discloses an air-bag formed from a single element of material which is tetragonal in shape. The four corners of the tetragon are folded over to form a central tetragonal region covered by four right angle triangles with mutually overlapping sides. Miyake at *Abstract*. Notably and as illustrated in Figures 4-7, all four corners must be folded in order to cover the central tetragonal region. For example and as illustrated in Figure 6, when two opposing corners 2 and 4 are folded over, regions 1 and 3 of the central tetragonal region are not covered by folded corners 2 and 4. Accordingly, the two folded corners 2 and 4 have a combined area which is less than the area of the central tetragonal region. Moreover, when two adjacent corners are

folded over, their combine area is also less than the area of the central tetragonal region.

This is unlike Applicant's invention as recited in claim 1 where the upper and lower flaps have a combined area which is greater than an area of the central polygonal region. In that Miyake lacks the noted element of claim 1, Applicant respectfully submits that the rejection based thereon should be withdrawn. Accordingly, Applicant believes claim 1 and its dependent claims 2-4, 8, and 9 are in a condition for allowance.

Rejections under 35 U.S.C. § 103

Claim 10 was rejected under 35 U.S.C. § 103 as being unpatentable over Miyake in view of U.S. Patent No. 5,536,043, issued to Lang ("Lang"). This rejection is respectfully traversed.

Since claim 10 depends from claim 1 and since Lang fails to disclose upper and lower flaps having a combined area which is greater than an area of the central polygonal region, the combination of Miyake and Lang cannot render the claims of the present invention as obvious. The objection under § 103(a) is therefore improper and should be withdrawn.

Objections

Claims 5-7 were objected to as being dependent upon rejected claim 1. For the reasons stated in the foregoing paragraphs, Applicant believes claim 1 is in a condition for allowance. Accordingly, Applicant believes dependent claims 5-7 are in a condition for allowance.

Claims 12-20 have been added by the present amendment. All of these claims are supported in the specification and there is no new matter. Moreover, Applicant believes these claims are patentable for their own specific elements recited therein.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

May 9, 2008

Date

/Daniel P. Dailey/

Daniel P. Dailey (Reg. No.54,054)